

SUMMITER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: *R2009-0017 - Rezoning to ID (Industrial) - James Ike Rainey - CR 127/Wildwood

REQUESTED ACTION: Approve rezoning R2009-0017

☐ Work Session (Report Only) **DATE OF MEETING:** 10/13/2009
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☒ N/A

Effective Date: _____

Vendor/Entity: _____

Termination Date: _____

Managing Division / Dept: Planning

BUDGET IMPACT: _____

☐ Annual

FUNDING SOURCE: _____

☐ Capital

EXPENDITURE ACCOUNT: _____

☒ N/A

HISTORY/FACTS/ISSUES:

The applicant is requesting rezoning on 0.96 acres MOL from a non-compliant A5 to ID (Industrial) to bring the property into compliance with the Future Land Use Map. The property is located adjacent to the City of Wildwood and in the Interlocal Service Boundary Area/Joint Planning Area (ISBA/JPA) with the City of Wildwood. This rezoning is consistent with the ISBA/JPA.

ZAB cases:

- 1) James Ike Rainey - R2009-0017*****
 - 2) Daniel & Kathleen Button - R2009-0018
-

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD
September 21, 2009

BOARD OF SUMTER COUNTY COMMISSIONERS
October 13, 2009

CASE NO.	R2009-0017
APPLICANT:	James Ike Rainey, Trustee
REPRESENTATIVE:	Edward Abshier, P.E.
REQUESTED ACTION:	Rezone 0.96 acres MOL from a non-compliant A5 to ID to bring the property into compliance with the Future Land Use Map.
EXISTING ZONING:	Non-compliant A5
FUTURE LAND USE:	Industrial
EXISTING USE:	Mobile Home
PARCEL SIZE:	0.96 acres MOL
GENERAL LOCATION:	Wildwood
<u>SURROUNDING LAND USE:</u>	<u>SURROUNDING ZONING:</u>
NORTH: City of Wildwood	NORTH: City of Wildwood
SOUTH: Industrial	SOUTH: RR = vacant
EAST: City of Wildwood	EAST: City of Wildwood
WEST: Rural Residential	WEST: A5 = pasture
COMMISSIONER'S DISTRICT:	Doug Gilpin

CASE SUMMARY:

The subject property is located on CR 127 in the unincorporated Wildwood area of Sumter County. The subject property is adjacent to the City of Wildwood to the north and east and is located within the Interlocal Service Boundary Area /Joint Planning Area (ISBA/JPA) of Sumter County and the City of Wildwood.

The subject property is approximately 0.96 acres with a width of approximately 181 feet and depth of approximately 227 feet.

CASE ANALYSIS:

The general character of the area surrounding and within the local vicinity of the subject property is industrial and rural residential with vacant (pasture) lands and mobile homes. This rezoning is consistent with the ISBA/JPA and surrounding uses.

This application will bring the property into compliance with the Future Land Use Map.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

Notices Sent: 9 (In objection) 1 (In favor) 4

Zoning & Adjustment Board Recommendation: Approval (10-0)




**SUMTER COUNTY
ZONING AND ADJUSTMENT BOARD**

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Subject No: R2009-0017

Application: 8/20/2009 SG

REZONING

PROJECT TYPE REZONING		PROJECT SUBTYPE Industrial		PROJECT DESCRIPTION REZONE .96 ACRES MOL FROM NON-COMPLIANT	
OWNER JAMES IKE RAINEY TRUSTEE,		ADDRESS 4477 CR 462, WILDWOOD, FL 34785		PHONE	
AGENT/APPLICANT EDWARD ABSHIER, P.E.		ADDRESS		PHONE (352) 245-8592	
PARCEL # D32=037	SEC/TWP/RNG 321823	GENERAL Wildwood	DIRECTIONS TO PROPERTY N ON US 301. E ON C-462E. S ON CR 127 THE PROPERTY IS LOCATED APPROX 1/10 MILE ON THE W SIDE OF THE RD.		
Property Address 8624 CR 127, Wildwood, FL 34785					
PARCEL SIZE .96 ACRES MOL		F.L.U. INDUSTRIAL	LEGAL DESCRIPTION COM AT SE COR OF S 1/2 OF NW 1/4 OF SEC RUN N 416 FT RUN W 23 FT N 56.81 FT RUN W 2 FT TO W R/W LINE OF CR 127 TO POB RUN N W 183.07 FT RUN N 223.71 FT RUN E 182.99 FT TO W R/W OF CR 127 RUN S ALONG SAID W LINE A DISTANCE OF 231.48 FT TO POB		
PRESENT ZONING NON-COMPLIANT A5		PRESENT USE MOBILE HOME			
REQUESTED REZONING REZONE .96 ACRES MOL FROM NON-COMPLIANT A5 TO ID TO BRING THE PROPERTY INTO COMPLIANCE WITH THE FLUM		REZONED ACREAGE .96 ACRES MOL		REZONED LEGAL DESCRIPTION SAME AS ABOVE	
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH CITY OF WILDWOOD CITY OF WILDWOOD	EAST CITY OF WILDWOOD CITY OF WILDWOOD	SOUTH RR-VACANT INDUSTRIAL	WEST A5-VACANT (PASTURE) AGRICULTURAL	
As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.			Rural Residential		
UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.					
				August 20, 2009	
Signature(s)				Date	
A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.					
Zoning and Adjustment Board		9/21/2009 6:30 PM	Room: 142	Action: _____	
County Commission Meeting		10/13/2009 9/20/2009 5:30 PM	Room: 142	Action: _____	
NOTICES SENT 4		RECEIVED IN FAVOR 43		RECEIVED OBJECTING 1	
Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.					




August 18, 2009

To Whom It May Concern:

Please accept this letter as my written authorization for Edward Abshier to act on behalf of "James Ike Rainey as Trustee of the James Ike Rainey Living Trust Agreement dated April 20, 2006, as Amended" for the rezoning of land situated in Sumter County, tax parcel # D32-037, as shown on the attached Statutory Warranty Deed, recorded in Sumter County, Florida, OR Book 2099, Page 128.

If you require any further information, please feel free to contact my office at 352-748-0955.

Sincerely,



Ike Rainey

STATE OF FLORIDA
COUNTY OF SUMTER

On this day, personally appeared before me James Ike Rainey, to me known to be the person(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed

this 18th day of August, 2009.


R. H. Heath



My commission expires October 6, 2012.

10.00

525.00

535.00

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT
07/24/2009 01:18:21PM
DEED

DOC \$625.00

PAGE 1 OF 1

B-2099 P-128

2009 20825

This instrument Prepared by:
Randall N. Thornton, Attorney at Law
P. O. Box 58 Lake Panasoffkee, FL 33536

STATUTORY WARRANTY DEED

THIS INDENTURE, made this July 22nd, 2009, between Shawna B. Glass, f/k/a Shawna B. Blong, a married woman conveying non-homestead property, whose address is 50 Magnolia Road Warm Springs, GA 31830 (Grantor) and

James Ike Rainey, as Trustee of the James Ike Rainey Living Trust Agreement dated April 20, 2006, as amended, whose address is 4477 CR 462 Wildwood, FL 34785, (Grantee), with full power and authority to protect, conserve, and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein or any interest therein or any part thereof, in accordance with F.S. 689.071.

WTNESSETH, that Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is acknowledged, has granted, bargained and sold to Grantee and Grantee's heirs and assigns forever the following described land situated in Sumter County, Florida, tax parcel # D32-037.

Commence at the Southeast corner of the South 1/2 of the Northwest 1/4 of Section 32, Township 18 South, Range 23 East, Sumter County, Florida; thence run North 00 degrees 14 minutes 00 seconds East along the East boundary of said Northwest 1/4, a distance of 416.00 feet; thence run North 89 degrees 55 minutes 00 seconds West a distance of 23.00 feet; thence run North 00 degrees 14 minutes 00 seconds East a distance of 56.81 feet; thence run North 88 degrees 00 minutes 00 seconds West a distance of 2.00 feet to the West right-of-way line of C.R. 127, the Point of Beginning; 1) thence run North 88 degrees 00 minutes 00 seconds West a distance of 183.07 feet, 2) thence run North 00 degrees 14 minutes 00 seconds East a distance of 223.71 feet, 3) thence run North 89 degrees 34 minutes 00 seconds East a distance of 182.99 feet to the West right-of-way line of C.R. 127, 4) thence run South 00 degrees 14 minutes 00 seconds West along said West right-of-way line, a distance of 231.48 feet to the Point of Beginning to close.

TOGETHER WITH A 1993 MAYE Mobile Home, ID#s 54630269FA & 54630269FB, Title #s 64019698 & 64019699, RP Decal #s R0502481 & R0502482

GRANTOR CERTIFIES THAT THE ABOVE DESCRIBED PROPERTY DOES NOT CONSTITUTE HER HOMESTEAD PROPERTY AS DEFINED BY FLORIDA LAW.

And said grantor does hereby fully warrant the title to said land, and will defend that same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence.

Sign: Susan H. Rice

Print: SUSAN H. RICE

Sign: Donna S. Proffitt

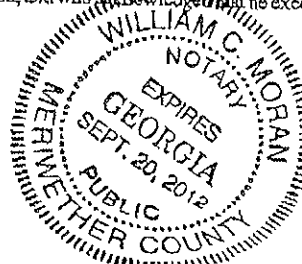
Print: Donna S. Proffitt

Shawna B. Glass
Shawna B. Glass

STATE OF GEORGIA
COUNTY OF MERNWETHER

I HEREBY CERTIFY that on this 22nd day of July, 2009, before me an officer duly qualified to take acknowledgments, personally appeared Shawna B. Glass, who is ☒ personally known to me; or ☐ produced _____ as identification, and who acknowledged that he executed the foregoing instrument.

William C. Moran
NOTARY PUBLIC STATE OF GEORGIA
Print Name: William C. Moran
My Commission Expires: 9/20/2012



D32=007

A5
S2008-
0005

D32=008

A5

GR 127

A5

D32=037

D32=068



D32=075

D32=096

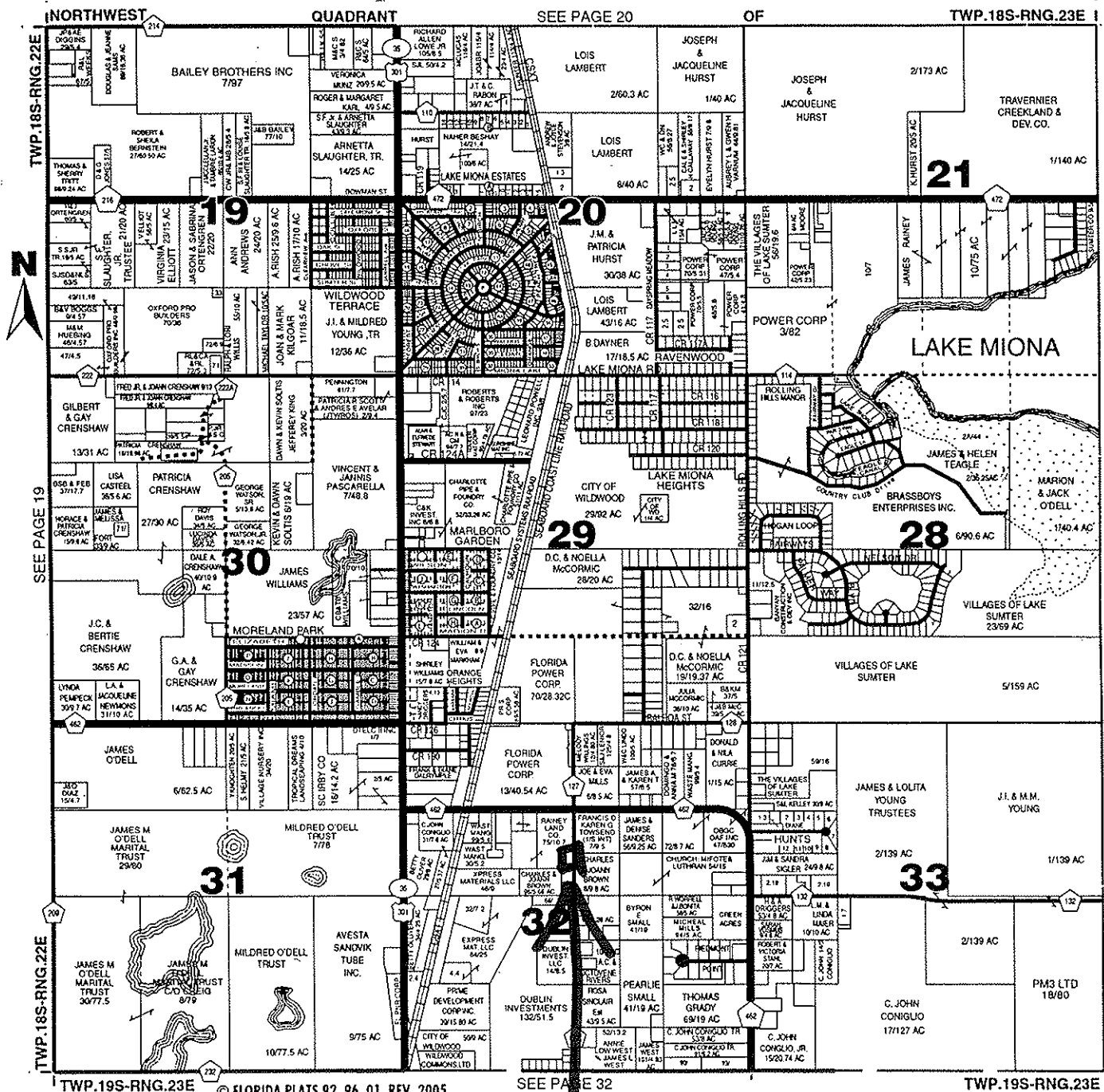
A5

R2009-0017
Rainey, James Ike Trustee
Sec. 32, Twp. 18S, Rng. 23E

TWP.18S-RNG. 23E

SOUTHWEST QUADRANT
SUMTER COUNTY, FLORIDA

SCALE OF MILES 1/2 1
0 660 1320 1980 2640 SCALE OF FEET 5280



R2009-0017

Rainey, James Ike Trustee
Sec. 32, Twp. 18S, Rng. 23E

Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274

SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

NOTICE OF PUBLIC HEARING



September 1, 2009

MATTHEWS DAVID H & CATHERINE H
4621 E CR 462
WILDWOOD, FL 34785

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **James Ike Rainey, Trustee**. This property is being considered for rezoning at a public hearing.

CASE# **R2009-0017** To rezone **.96 acres** from **Non-compliant A5 to ID** (Industrial District) to provide for manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution, and research and testing where such activities have no more than a moderate adverse impact on adjoining non-industrial properties.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on **Monday, September 14, 2009** at **6:30 p.m.**

The property is located as follows: Wildwood area: North on US 301. East on C-462 E. South on CR 127. The property is located approximately 1/10 mile on the west side of the road.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, ~~September~~ **October 13, 2009**, at 5:30 p.m.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

I approve of the above.

☒ I do not approve of the above for the following reason(s): MORE NOISE, MORE DIRT + DUST, MORE TRUCKS
HE NEEDS TO PUT UP A SOUND BARRIER WALL ON CR 127

Please return no later than **September 14, 2009**

RE: CASE# **R2009-0017**

Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

REVISED NOTICE OF PUBLIC HEARING



September 4, 2009

CHURCH: NEW LIFE CHRISTIAN, CH
2108 PATINO LN
THE VILLAGES, FL 32159

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **James Ike Rainey, Trustee**. This property is being considered for rezoning at a public hearing.

CASE# **R2009-0017** To rezone **.96 acres** from **Non-compliant A5 to ID** (Industrial District) to provide for manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution, and research and testing where such activities have no more than a moderate adverse impact on adjoining non-industrial properties.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on **Monday, September 21, 2009** at **6:30 p.m.**

The property is located as follows: Wildwood area: North on US 301. East on C-462 E. South on CR 127. The property is located approximately 1/10 mile on the west side of the road.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, October 13, 2009, at 5:30 p.m.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

☒ I approve of the above.

☐ I do not approve of the above for the following reason(s): _____

Please return no later than **September 14, 2009**

RE: CASE# **R2009-0017**

Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

NOTICE OF PUBLIC HEARING



September 1, 2009

ERNEY ROBERT D
PO BOX 1672
LADY LAKE, FL 32158

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **James Ike Rainey, Trustee**. This property is being considered for rezoning at a public hearing.

CASE# **R2009-0017** To rezone **.96 acres** from **Non-compliant A5 to ID** (Industrial District) to provide for manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution, and research and testing where such activities have no more than a moderate adverse impact on adjoining non-industrial properties.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on **Monday, September 10, 2009** at **6:30 p.m.**

The property is located as follows: Wildwood area: North on US 301. East on C-462 E. South on CR 127. The property is located approximately 1/10 mile on the west side of the road.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, September 13, 2009, at 5:30 p.m.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

X I approve of the above.

I do not approve of the above for the following reason(s): _____

Please return no later than **September 14, 2009** RE: CASE# **R2009-0017**

Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

NOTICE OF PUBLIC HEARING



September 1, 2009

MILLS EVA V (LE)
4510 E CR 462
WILDWOOD, FL 34785

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **James Ike Rainey, Trustee**. This property is being considered for rezoning at a public hearing.

CASE# **R2009-0017** To rezone **.96 acres** from **Non-compliant A5 to ID** (Industrial District) to provide for manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution, and research and testing where such activities have no more than a moderate adverse impact on adjoining non-industrial properties.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on **Monday, September 10, 2009 at 6:30 p.m.** ?

The property is located as follows: Wildwood area: North on US 301. East on C-462 E. South on CR 127. The property is located approximately 1/10 mile on the west side of the road.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, September 13, 2009, at 5:30 p.m.

Sunday

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.

☒ I approve of the above.

☐ I do not approve of the above for the following reason(s): _____

Please return no later than **September 14, 2009**

RE: CASE# **R2009-0017**

Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>

NOTICE OF PUBLIC HEARING



September 1, 2009

BROWN CHARLES & JOANN
PO BOX 421
WILDWOOD, FL 34785

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **James Ike Rainey, Trustee**. This property is being considered for rezoning at a public hearing.

CASE# **R2009-0017** To rezone **.96 acres** from **Non-compliant A5 to ID** (Industrial District) to provide for manufacturing, fabrication, processing, assembly, treating, servicing and repairing, salvaging and recycling, storage and warehousing, wholesaling and distribution, and research and testing where such activities have no more than a moderate adverse impact on adjoining non-industrial properties.

A public hearing before the Zoning and Adjustment Board will be held at 910 North Main Street, Suite 142, Bushnell, Florida on **Monday, September 10, 2009** at **6:30 p.m.**

The property is located as follows: Wildwood area: North on US 301. East on C-462 E. South on CR 127. The property is located approximately 1/10 mile on the west side of the road.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held in Room 142, 910 North Main Street, Bushnell, Florida, on Tuesday, September 13, 2009, at 5:30 p.m.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida, 33513, will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida, 33513.



I approve of the above.

I do not approve of the above for the following reason(s): _____

Please return no later than **September 14, 2009**

RE: CASE# **R2009-0017**